

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION,)

Plaintiff,)

v.)

CENTRAL ILLINOIS SHIPPERS,)
INC.,)

Defendant.)

NO. T02-0079

RECEIVED
OCT 23 2002Illinois Commerce Commission
RAIL SAFETY SECTION**RESPONSE TO**
DECATUR JUNCTION RAILROAD CO.'S MOTION FOR CONTINUANCE

NOW COMES City of Macon, by and through its attorneys, Booth and Antoline, and in response to Decatur Junction Railroad Company's Motion for Continuance, states as follows:

1. The City of Macon received the Respondent's Motion for Continuance on October 23, 2002, the day before the hearing on the citation in Case No. T02-0079.
2. The City of Macon objects to the Motion for Continuance in the strongest possible terms because the motion is untimely pursuant to Illinois Commerce Commission's Rules of Practice.
3. The City of Macon plans to attend this hearing with its engineer, its attorney and its superintendent of public works. All who have reserved time on their calendars to attend this hearing and have prepared therefore.
4. The repairs that have been performed on the railroad crossings to date are wholly inadequate, will not last through the winter and represent the most cursory effort at compliance with the Commerce Commission's mandates.

SV/RK

5. The Decatur Junction Railroad, by and through Central Illinois Shippers, Inc. has indicated it wishes to petition to close three of five railroad crossings within the City of Macon. They hope to delay this hearing until their petition is filed thereby again attempting to circumvent the Commerce Commission's mandates.

WHEREFORE, the City of Macon respectfully requests that Central Illinois Shippers, Inc. and Decatur Junction Railroad Co.'s Motion for Continuance be denied.

CITY OF MACON

By: 

Michael J. Antoline

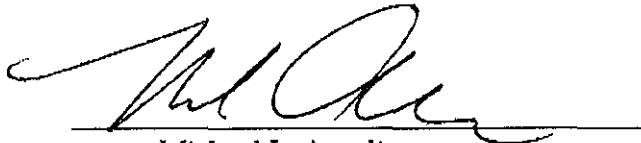
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CERTIFICATE OF SERVICE

I certify that on the 23rd day of October, 2002, a copy of the Response to Decatur Junction Railroad Co.'s Motion for Continuance, being a total of 4 pages including the facsimile cover page, were sent by facsimile transmission from the law office of Booth and Antoline to the following:

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